

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD



-----)
METAGENICS, INC.)
)
Petitioner,)
)
v.)
)
ALLTECH, INC.)
)
Respondent.)
-----)

04-21-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #34

Opposition No. 91154336

Serial No. 76381236

Hon. Commissioner of Patents
and Trademarks
BOX TTAB
2900 Crystal Drive
Arlington, VA 22202-3513

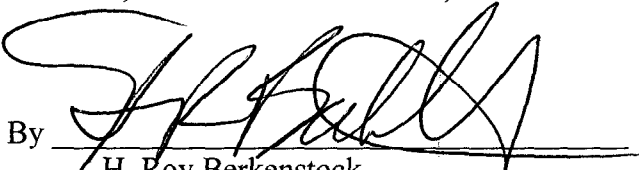
STIPULATION FOR SECOND EXTENSION OF TIME

It is hereby stipulated between the parties, subject to Trademark Trial and Appeal Board consent, that the time for answer and discovery period and all testimony periods in the above-identified proceeding be extended an additional one (1) month beyond that already stipulated by the parties, thereby totaling three (3) months from the dates set by the Trademark Trial and Appeal Board, and that all dates be recalendared and moved forward by three months according to Schedule A attached.

The parties are discussing settlement and a draft Agreement is under review. It is believed that the additional time will enable the matter to be concluded.

This Stipulation was assented to by Dennis H. Cavanaugh, counsel for Opposer, Metagenics, Inc., on April 17, 2003.

WYATT, TARRANT & COMBS, LLP

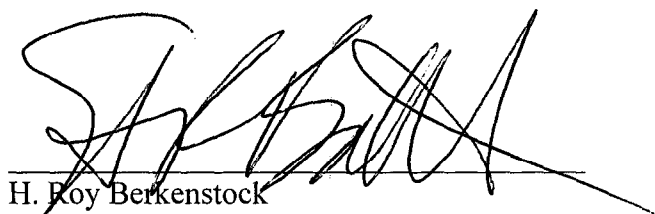
By 

H. Roy Berkenstock
1715 Aaron Brenner Drive
Suite 800
Memphis, TN 38120
Ph: 901-537-1108
Fax: 901-537-1010
Attorney for Alltech, Inc.

CERTIFICATE OF SERVICE

I, H. Roy Berkenstock, an attorney in the law firm of Wyatt, Tarrant & Combs, LLP, hereby certify that a copy of the foregoing "STIPULATION FOR SECOND EXTENSION OF TIME" was mailed, postage prepaid, first class mail, this 18th day of April, 2003, to the following attorney for the Opposer, Metagenics, Inc.:

Dennis H. Cavanaugh, Esq.
Ullman, Shaprior & Ullman, LLP
299 Broadway, Suite 1700
New York, NY 10007


H. Roy Berkenstock

SCHEDULE A

The date the Answer is due	May 19, 2003 (three months)
The period for Discovery to open	April 30, 2003 (three months)
The period for Discovery to close	October 29, 2003 (three months)
Testimony period for party in position of Plaintiff to close (opening thirty days prior thereto)	January 27, 2004 (three months)
Testimony period for party in position of Defendant to close (opening thirty days prior thereto)	March 26, 2004 (three months)
Rebuttal testimony period to close (opening fifteen days prior thereto)	May 9, 2004 (three months)